

REMARKS

This responds to the Office Action mailed on March 21, 2006, and the references cited therewith.

Claims 2, 20, 32, and 33 are canceled; as a result, claims 1, 3-19, 21-31 and 34 are now pending in this application.

§103 Rejection of the Claims

Claims 1, 3-19, 21-31 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Conklin et al. (U.S. 6,141,653; hereinafter Conklin) in view of eBay (<http://web.archive.org/web/19991122070012/pages.ebay.com/forum/feedback>, via the Wayback Machine archive, Published 11/10/1999; hereinafter Forum) in view of FAQ (<http://web.archive.org/web/19991122031437/http://pages.ebay.com/help/basics/f-feedback.htm#3>, via the Wayback Machine archive, published on 11/10/1999; hereinafter FAQ).

Applicants respectfully submit that claims 1, 3-19, 21-31 and 34 should not be rejected under 35 U.S.C. § 103 for the reason that prior art references when combined do not teach or suggest all of the claim limitations of the independent claims of the present application. Further Applicants do not admit that Conklin, Forum, or FAQ is prior art, and reserve the right to swear behind Conklin, Forum or FAQ at a later date. Nevertheless, Applicants respectfully submit that the claims are distinguishable over Conklin in combination with Forum in combination with FAQ for the reasons set out below.

To establish a **prima facie** case of **obviousness**, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

Claim 1 includes the following limitations:

receiving at the network-based transaction facility, the feedback information provided by the first user through the single feedback interface, for each of at least the first and second transactions...

The Office Action, in rejecting claim 1, contends that the above limitation is taught or suggested by Forum and FAQ. Specifically the Office Action mentions that Forum refers to FAQ. Otherwise the Office Action does not provide any specific disclosure from Forum with regard to the above limitation. Nevertheless, Applicants note that Forum discloses the following:

1. See Feedback about an eBay User

In this section....

You can leave multiple comments in someone's Feedback Profile, but they'll only count once (+1). This makes the system fair. No one person can "tip the scales" in either feedback direction, positive or negative.

2. Leave Feedback about an eBay user

You can leave a brief comment for any eBay user. Most **members leave messages about a buy or sell transaction**, but you can leave a note about anything.

The above quotes describe leaving comments or messages for a user. Multiple comments may be left for the user but the multiple comments count only once (+1). Messages are about a buy or sell transaction.

The Office Action, in rejecting claim 1, further contends that the above limitation is taught or suggested by FAQ. Specifically, the Office Action states:

"[a]s outlined on the page a user can if they wish 'leave transaction-related feedback about a specific buy or sell transaction.'"

Office Action, page 3 quoting FAQ.

The above quote from the Office Action states that the page (e.g., webpage) includes an outline. Specifically, the webpage outlines that a user can “leave transaction-related feedback about a specific buy or sell transaction.”

Claim 1 requires receiving feedback information through a single feedback interface for a first transaction and a second transaction (e.g., multiple transactions). For an embodiment of the limitations of claim 1, the Examiner is referred to **Figure 10** of the present application, which shows one example of a single feedback interface that includes three transactions and three feedback input fields, respectively. In contrast, Forum and FAQ fail to teach or even suggest the quoted limitations of claim 1. Specifically, Forum describes leaving comments or messages for a user and FAQ describes leaving transaction related-feedback. To be sure, neither Forum nor FAQ describe or illustrate a user interface. Moreover, the above quote from the Office Action states that FAQ “outlined” leaving transaction-related feedback about a *specific* buy or sell transaction suggesting that FAQ may indeed teach away from the above quoted limitations of claim 1 which require a single feedback interface for *multiple* transactions. The difference is not trivial. The single feedback interface “allow[s] a commentator to provide feedback pertaining to multiple transactions or items in a convenient manner without having to advance through a series of distinct interfaces” (Application, page 26, lines 5-7). Forum in combination with FAQ therefore cannot be said to teach or suggest the above quoted limitation because Forum in combination with FAQ describe leaving comments or messages for a user and leaving transaction related-feedback about a *specific* buy or sell transaction and claim 1 requires receiving feedback information through a single feedback interface for a first transaction and a second transaction.

Conklin describes systems for creating sponsored communities over a network such as the Internet to enable iterative, multivariate negotiations. Conklin fails to teach or suggest receiving feedback information through a single feedback interface for a first transaction and a second transaction.

The above remarks are also applicable to a consideration of independent claims 18, 30, 31, and 34.

In addition, if an independent claim is nonobvious under 35 U.S.C. § 103 then, any claim depending therefrom is nonobvious and rejection of claims 3-17, 19 and 21-29 under 35 U.S.C. § 103 is also addressed by the above remarks.

In summary, Conklin in combination with Forum in combination with FAQ does not teach or suggest each and every limitation of claims 1, 18, 30, 31 and 34 as required to support rejections of the independent claims of the present application under 35 U.S.C. § 103.

CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney at 408 278-4045 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

DANIELE LEVY ET AL.

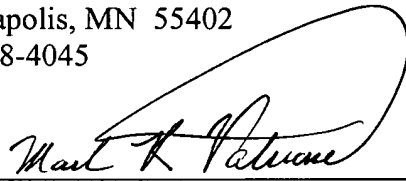
By their Representatives,

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